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OFFICE OF PETITIONS

MS PETITION
PATENT
3493-0109P

DAC
HII

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: MAGNET, Serge Conf.: 9636

Appl. No.: 09/782,562 Group: 1713

Filed: February 13, 2001 Examiner: HU, HENRY S.

For: UV RESISTANT RESIN FOR PARAFFINIC
SOLVENT BASED PAINT

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. § 1.137(b)

MS PETITION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

April 29, 2004

Sir:

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus an extension of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

Note: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee -- required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

Small entity - fee \$665.00 (37 C.F.R. § 1.17(m)).
Applicant claims small entity status. See 37 C.F.R.
§ 1.27.

Other than small entity - fee \$1,330.00 (37 C.F.R.
§ 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action
in the form of Issue Fee Transmittal (identify type of
reply):

has been filed previously on November 10, 2003.
 is enclosed herewith.

B. The issue fee and publication fee totaling \$1630.00
 have been paid previously on November 10, 2003.
 is enclosed herewith.

3. Terminal disclaimer with disclaimer fee

Since this utility/plant application was filed on or
after June 8, 1995, no terminal disclaimer is
required.

A terminal disclaimer (and disclaimer fee (37 C.F.R.
§ 1.20(d)) of \$55.00 for a small entity or \$110.00 for
other than a small entity) disclaiming the required
period of time is enclosed herewith.

4. Statement: The entire delay in filing the required reply
from the due date for the required reply until the filing
of a grantable petition under 37 C.F.R. § 1.137(b) was
unintentional.

5. Please apply the Issue Fee paid on November 10, 2003 to this application.

- No fee is required.
- Check(s) in the amount of \$1,330.00 is/are enclosed.
- Please charge Deposit Account No. 02-2448 in the amount of \$0.00. This form is submitted in triplicate.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
Raymond C. Stewart, #21,066

GMD
RCS/GMD:bmp
3493-0109P

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

Attachments:

- Fee Payment
- Reply
- Terminal Disclaimer Form
- Additional sheets containing statements establishing unintentional delay
- Other: Issue Fee Transmittal;
postcard receipt of payment of Issue Fee

Papers Filed herewith on: November 10, 2003
DOCKET NO.: 3493-01099 PATTY: KCS16MO
APPLICANT(S): Serge Monnet
APPLN. NO. 09/882,862 FILED: 2-13-01
PAT NO.: _____

New Application with Transmittal Letter

Utility Design CIP PCT Provisional

Filing Under 37 CFR 1.53(b) CONT DIV

Filing Under 37 CFR 1.114(RCE)

Specification Consisting of: _____ pages

Combined Declaration & Power of Attorney

Assignment / Cover Letter

Letter to Official Draftsman

Drawings Sheets Formal Informal Free Ink

Completion of Filing Requirements, PCT/US05/0405

or Formalities Letter and Executed Declaration

Priority Document(s) / Cover Letter, No. Doc. No. NON 10-2003

Amendment: NON 10-2003

Transm'ltr Large Entity Small Entity

Response Information Disc'l Stmt. PTO-1449(s) NON 10-2003

PTO /ISA/210

Notice of Appeal Appeal Brief

Filing Fee Transmittal Sequence Listing

FEES: \$1752.00 due 9/09/2003

Letter: _____

Other: Request to consider new claims

File Holder: See Holders of Record

Receipt is hereby acknowledged that papers filed as indicated in connection with the above identified case.
COMMISSIONER OF PATENTS AND TRADEMARKS
Due Date: 11-10-03
Handcarry: _____

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